to the grounds and grand stand of any

racing association.

A bill introduced by Assemblyman Miller prohibits the collection of more than one

fare on electric surface railroads crossing the boundaries of New York city, during one continuous ride, excepting that fare may be collected once separately outside of the city limits for passages are resulted to the city limits of the city passages are resulted to the city limits of the city passages are resulted to the city limits of the city passages are resulted to the city limits of the city passages are resulted to the city limits of the city passages are resulted to the

the city limits for passenger service to and from the city limits and once separately

By Assemblyman Murphy-Providing that

age shall not work any penalty or depriva-

on of any rights or privileges except such a

ing the sale of opium, chloral, cocaine and

other such drugs except on prescription of

physician. The bill also prohibits physicians

from prescribing for habitual users of drugs

By Senator Cohalan-Prohibiting the em

ployment of telegraph operators on railroads more than ten hours a day.

By Senator O'Neil-Repealing the law creat

ing the State Water Supply Commission

which is now a useless body.

By Senator Gilchrist-Prohibiting the as

signment of street cleaning department

employees in New York city to perform labor

By Senator McCall-Providing that on and

after January 1, 1907, the trustee of the fire-

men's relief fund shall pay to the widow of

any officer or probationary member of th

uniformed force killed in the discharge of his

duty a pension not to exceed one-half of the

officer. And if he was a probationary mem-

ber, one-half the pay of a fireman of the first

By Assemblyman Cunningham—Requiring the attendance to evening schools of boys between the ages of 14 and 16 years in cities of the first and second class who have not graduated from elementary schools.

THE INDEPENDENCE LEAGUE.

Petition to Have the Secretary of State

ALBANY, Feb. 21 .- L. J. O'Reilly as the

personal representative of William R.

Hearst, chairman of the State committee

of the Independence League, filed with

in the returns received by the State can

THE BROWNSVILLE INOUIRY.

White Man Gives Testimony That Reflects

on the Townspeople.

WASHINGTON, Feb. 21.-Wilbert Vos-

chelle, the white corral boss at Fort Brown.

was the only witness this morning before

the Senate Committee on Military Affairs,

which is investigating the Brownsville

Voschelle testified that at 5:30 o'clock

on the afternoon preceding the raid he had

gone to the post canteen for his mail. As

ne came out of the building he encountered

Major Penrose, the commanding officer of the post; Mayor Combes of Brownsville and the quarantine officer of the port, whose name he afterward learned was Evans. Evans was saying: "Major, if

whose name he afterward learned was Evans. Evans was saying: "Major, if there is not an arrest made between this hour and 11 o'clock every enlisted man we see on the streets will be shot."

Witness said he learned afterward that Mr. Evans was the husband of the woman

who had been assaulted that day by a negro soldier. He did not hear Major

Penrose make any reply.

Voschelle lived a block and a half outside

voschelle lived a block and a hair outside of the barracks. When he heard the firing he arose and started for the corral. On the way he saw two Mexican policemen who lived near him come out of their homes

and run along the wall of the garrison toward the town. He did not see them have guns, and they did no shooting. When he reached the corral all the soldiers detailed

there were present, although that was ter

minutes or more after the firing ceased Three civilians, two of them Mexicans, were not there. The policemen of Browns-

ville, witness said, wore khaki uniforms much like those worn by the soldiers. Voschelle denied the statement of the

colored witness, Mapp, who testified that Voschelle had had breakfast at the colored

mess on the morning after the shooting and had told him that it was a good thing the affair happened the way it did, as he (Vos-

chelle) had heard of a plot in town to get a lot of colored soldiers in Allison's saloon and

kill them. Voschelle said he never had breakfast at any time in the colored mess

breakfast at any time in the colored mess and he did not make the statement testified

to by Mapp.

Voschelle said that the people of the town

were opposed to having any soldiers there, white or black. There had frequently been trouble with the soldiers of the Twen-

ty-sixth Infantry, which is white. He said that on the second night after the shooting he had met a friend in town with a Win-chester and on asking him if he had been hunting, the man replied: "No, but we in-tend to be better fixed to-night than we were night before last."

were night before last."

Charles Hairstom, on sentry duty before

the officers' quarters on the night of the shooting, said that he had gone to arouse Major Penrose when the shooting began, but found the commandant of the post

Movements of Naval Vessels.

Rhode Island has arrived at Hampton

The cruiser Des Moines has sailed from

Natchez for Baton Rouge, the gunboat Prairie from Cienfuegos for Havans and the yacht Mayflower from Havans for

Army and Navy Orders.

ssued to-day:

WASHINGTON, Feb. 21.-These army orders were

issued to-day:

First Lieut. Frederick L. Buck. Artillery, from Fort Wood to Fort Hamilton.

Capt. James K. Thompson. transferred from Fitteenth Infantry to Eighth Infantry. and Capt. Edgar T. Conley from Eighth to Fifteenth Infantry. First Lieut. Edward Canfield, Jr.. Artillery, from West Point Military Academy to Fort Stevens. Lieut. Col. Albert Todd, Artillery, detailed as an acting military secretary, Department of Dakota.

First Lieut. Leonard T. Baker. Eighth Infantry. from General Hospital, Washington Barracks, to his proper station.

These navy orders were issued:
Surgeon J. M. Moore, to Naval Hospital, Norfolk,
Surgeon F. M. Furlong, from Naval Hospital,
Poston, to the Vermont when commissioned.
Paymaster V. S. Jackson, to Navy Yard, Boston,
and to the Vermont when commissioned.

These navy orders were issued

WASHINGTON, Feb. 21.-The battleship

already awake. Major Penrose g

found the commandant of the post dy awake. Major Penrose gave the

raid.

Recognize It as a Party.

grade.

ompensation of the deceased if he was an

n Sunday, except in case of emergency.

inless they are under their profes

Assemblyman Wainwright-Prohibit

within the city limits.

These other bills were introduced:

imposed by a court or Magistrate.

A BILLION DOLLAR SESSION.

CHAIRMAN TAWNEY WARNS THE HOUSE OF A RIG DEFICIT.

Re Says Bills That Have Passed One or Both Houses Aggregate \$1,005,244,568 and on the Most Liberal Estimate flex enues Will Not Exceed \$804,573,264

WASHINGTON, Feb. 21.-This is to be a billion dollar session of Congress, Chairman Tawney of the Committee on Appropriations told the House of Representatives to-day Presenting the Sundry Civil Appropriation bill to the committee of the whole, he said:

"I regret exceedingly to state what I believe will be the fact, that the aggregate amount appropriated in this session of Congress, including the permanent appropriations for the expenditures during the facal year of 1908, will exceed the approprations made at any previous session of Congress in the history of the republic. The annual estimate for expenditures submitted at the beginning of the session amounts to \$895,690,663. The estimates have been increased in five of the regular appro priation bills to the extent of \$22,919,299 In addition to these there are obligations created by the River and Harbor and Naval Appropriation bills of \$73,631,536. In addition to this there are supplemented sundry civil estimates aggregating \$13,000,000 in round numbers, making a total of \$1,005. 244.569 as the total estimates and amounts now carried in bills that have passed one or both houses of Congress.

"Now, if we assume that we will not appropriate ultimately to the full amount these estimates, if we deduct 10 per cent. from the estimates, the aggregate of appropriations will be \$904,720,021. Making the most liberal estimate of our revenues during the fiscal year 1908, including the postal revenues, they will not exceed \$804,573,264 This estimate is an increase of almost \$20, 000,000 over the revenues of the current facal year, which will exceed those in any fiscal year in the history of the Government Deducting that from the aggregate probable appropriations we will have a deficit at the end of the fiscal year 1908 of more than \$100,000,000. The reimbursable items for which we are appropriating now will be effset by the additional amounts necessary to meet obligations created by laws which we have enacted and for which no estimate has been submitted.

'I do not make this statement in any spirit of criticism upon either branch of Congress, but I feel that it is my duty to call to the attention of this House the deficit with which we must be confronted at the close of the fiscal year 1908. I have not overdrawn this statement in the least; in fact I have eliminated in making it up many items which, I believe, will be found at the end of this session in appropriation bills or in bills creating oblications that will swell the aggregate beyond the amount which have stated. I therefore appeal to the patriotism of every member of the House and ask him to do what he can to endeavor to keep down the aggregate of our appropriations as far as it is possible to do consistent with the public service and the needs of our Governme t."

Mr. Tawney moved that general debate on the Sundry Civil bill be limited to one

A wrangle at once ensued, several mem bers wanting assurances that when certain items were reached in the reading of the bill for amendment time would be given for

Mr. Clark of Florida, a member of the special committee which investigated the Government insane hospital, wanted half an hour to talk about that and Mr. Sulzer of New York, who is much interested in the matter, was determined to secure it for him. So he objected to closing general debate.

Mr. Tawney gave notice that after he had made his statements he would move that the committee rise and then ask the House to limit debate.

When the title of the bill had been reported to the committee of the whole Mr Tawney made the usual request that the first reading be dispensed with. "Object!" shouted Sulzer, "unless the gentleman from Florida can have half an hour."

Mr. Tawney doggedly sank back in his seat, and Speaker Cannon, his arms flying and hair bristling, expostulated with My Sulzer, who shortly retired from the hall, apparently to escape the storm of wrath playing about his head. Mr. Tawney's deak was surrounded with anxious memwas surrounded with anxious mer bers who wanted him to yield the thirty minutes to Mr. Clark, showing him that is would take at least four times as long as that to read the bill, but he remained ob-

The reading clerk began to make marvellous progress with the reading, when Minority Leader Williams inquired if the clerk was not skipping the text.
Chairman Watson—The Chair cannot in-

form the gentlemen. The presumption is that the officers and employees of the House discharge their duties in accordance with the rules. The Chair has admonished the clerk to be very careful in turning the pages, and has no doubt that he has been At 1:30 o'clock Mr. Sulzer returned to

the hall, there then being possibly fifty members listening to the reading of the bill. Sauntering majestically down the centre side, when he reached the space in front of his desk he raised his finger to attract structure. tention and said:

"I ask unanimous consent that the further ading be dispensed with and that the centleman from Florida have half an ho "I object," simultaneously remarked Mr.
lawney and Mr. Dalzell of Pennsylvania.
At 2:50 the reading clerks concluded. At 2:50 the reading clerks concluded, ving made a record for fast work—198 pages in ten minutes less than two hours-and Mr. Tawney opened general debate with a statement of the probable total of appro-

Priations at this session.

After Mr. Taylor of Alabama had briefly the committee rose. Mr. Tawney Closed, which was ordered—167 to 45—the Yeas and nays being refused, and reading of the bill in control of the bil bill in committee of the whole for

mendment, was begun. Messrs. Sulzer and Clark, still smarting under their failure to obtain an opportunity for the latter to talk, interposed points o for the latter to talk, interposed points of order against appropriations for public buildings, being almost uniformly unsuccessful. Good temper was observed throughout, Mr. Sulzer's frequent discomfures affording considerable amusement. He told Mr. Tawney, apropos of an admission by the latter, that he was not perfectly informed on some subjects. No wonder you talk about a billion dollar.

No wonder you talk about a billion dollar money." And again: "After you have adjourned you will have no excuse, for your constituents will say: 'The gentleman from New York warned you against your from New York warned you against your course and you would not heed him."
[Laughter.]
Toward the close of the session Mr.

zer entertained the committee with a scientific disquisition upon sun spots in connection with the appropriation of \$13,000 for the Astro-physical Observatory, the business of which, he assumed, was to and our appropriation of \$1000 for the Astro-physical Observatory.

business of which, he assumed, was to and out about the spots.

Looking up the subject," he said, "going back to the Ptolemys, I found that no backy who has written differs from everybody else, so that I take no man's opinion but my own. And my own opinion is that they will stay there until they leave [laughter] and that while they stay they will harm no sa down here."

here." atesman" for the day after calling to an item of \$3,000 for the pro-

tection of Case Grand River in Arizona and OPPOSE BINGHAM POLICE BILL making excavations on the reservation. in his disgust, "spending the people's money to dig up the bones of men who died thousands of years ago and who care nothing for what is going on to-day. These points of order remind me of a stanza in Bret Harte's poem, 'The Society on the Stanis-

Then Abner Dean of Angels raised the point of order chunk of old red sandstone struck him in the

smiled a kind of sickly smile and he curied upon

And the subsequent proceedings interested hi

[Loud applause.] Amendments were agreed to appropriating \$159,000 with which to purchase ground for an addition to the Bureau of Engraving and Printing and \$50,000 to enable the Interstate Commerce Commission to investigate block signal systems and appliances for the automatic control of The provision opening the Capitol build

ing to visitors from 9 to 4 o'clock on Sundays went out on a point of order made by Mr. Clark of Florida. Having passed ninety-seven pages of the bill the committee rose and at 10:50 o'clock

REVOLT AGAINST BIG STICK. House Resents the Action of the Pre-

the House adjourned.

in Shaping Legislation. WASHINGTON, Feb. 21.-An extraordinary number of special investigation; are being carried on by the Government at this time at the instance of President Roosevelt and it is now propose that an extensive inquiry shall be made into the employment of woman and child labor throughout the ountry. Director North of the Census Bureau has registered his protest against undertaking the work, saying that that line of work does not fall properly to his Department.

Mr. North's objection has caused the President to write a long letter to the Secretary of Commerce and Labor, stating Mr. North's objections and arguing that the Bureau of Labor ought to be required to do

"This is not merely a statistical investigation," the President says in his letter. If it were it would be eminently proper for the Census Bureau to conduct it." and he quotes Mr. North as saying: "It is a kind of work which is foreign to the whole theory of a census office, and it belongs to the Bureau of Labor.

The President then proceeded with a long argument to show that the Bureau of Labor ould undertake the work.

In the House to-night there was a revolt against the use of the "big stick" in shaping legislation, and by a vote of 38 to 98 the committee of the whole decided to follow the Committee on Appropriations rather than the President. It occurred over the paragraph in the Sundry Civil Appropriation ill carrying an item of \$150,000 to enable the Census Office to make the investigation into condition of women and child labor re cently ordered by Congress.

Mr. Crumpacker of Indiana, chairman of the Committee on Census, moved to charge the Bureau of Labor with the duty of making the investigation and in the course of his remarks read the letter of President Roose velt to Secretary Straus, advising that the work be done by the Bureau of Labor.

Mr. Tawney gave the reasons which actuated the committee in its decision to gnore the protest of Director North and charge the Census Office with the duty. Congress has said that it can be placed nder the Director of the Census," he He has an organization, an army of inspectors travelling over the country in vestigating manufacturing establishments Therefore, the investigation by his own en into the conditions of female and child labor employed in these factories comes properly under the jurisdiction of these men and under the Bureau of the Census. True it is not statistical, but that does not make it impossible for the representatives of the Bureau of the Census to gather th information which the law says shall be

"It is not a labor proposition. It is not a problem at all affecting labor. It is a social and physical condition surrounding he employment of ce that is necessary on the part of the man charged with the responsibility of making this investigation is to exercise the intelligence which God Almighty gave him, and he will be able to make an investigation as the law contemplates it should be made."

Nr. Fitzgerald of New York and Mr Mr. Fitzgerald of New York and Mr. house will lose no time in getting it over Sullivan of Massechusetts, members of the to the Senate Lext week, fearing to permit Com nittee on A popriations supported the

action of t "I want to call attention to this very letter which has been read " said Mr. Fitzgerald. "It al by the President to the Secr tary of Commerce and Labor, but it is really intended for this House, because it was issued from the White House to-day, and in it the President, departing from his hitherto known methods, has attempted to wave the big stick and coerce this House into doing his will rather than exercising

"He says that he would not permit the Bureau of Labor to act in a demogagic way in this investigation. The best proof to my mind that the Bureau of Labor would not make a fair and impartial report if the fact that the President feels it necessary to warn the House that he would not permit it to do anything that would be improper. I submit most respectfully that the legislative is the proper branch to determine which particular bureau shall per this work

Now, I am not responsible for what the majority of this House will do. I do not know how susceptible it is to this big stick' when it is waved over their heads; but I trust for the sake of ourselves and to our right to legislate that sustain the committee, that we will exercis our own judgment and at the proper tim let the President perform his duty in th

manner he deems to be proper."

After further remarks by Messrs. Bartholdt (Rep., Mo.), Stanley (Dem., Ky.) and De Armond (Dem., Mo.) Mr. Crumpacker's amendment to intrust the in-ivestigation to the Bureau of Labor was defeated by the vote given.

Naval and River and Harbor Bills Sent to Conferences.

WASHINGTON, Feb. 21 .- The House of Representatives to-day voted non-concurrence in Senate amendments to the Naval Appropriation bills and asked a conference thereon. Messrs. Foss of Illinois, Louden-slager of New Jersey and Meyer of Louisiana

were named as conferees.

When the River and Harbor Appropria-When the River and Harbor Appropria-tion bill, with Senate amendments thereto, was presented to the House of Representa-tives to-day, on motion of Mr. Burton of Ohio, chairman of the committee which originally prepared it, a conference was asked on the amendments and Messrs. Burton, Devener of West Virginia and Bankhead of Alabama were named as con-

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YORK TELEPHONE GO.,

THE INSPECTORS BEGINNING TO SHOW THEIR HAND.

Motton to Have the Bill Recommitted to Give Them a Hearing is Defeated and the Bill Ordered to a Third Reading Assembly Passes Appropriation Bill.

ALBANY, Feb. 21 .- The inspectors of the New York city Police Department are beginning to show their hand. This was ndicated to-day in the Assembly, and the Bingham police bill is going to have hard sledding before it passes the lower house. The inspectors have asked Commissioner Bingham for permission to come to Albany to be heard in opposition to the bill. This statement was made by Assemblymen Voss of Brooklyn and Hoey of Tammany. Neither, though, would disclose what inspectors had told them this. They said hat Commissioner Bingham has referred the request of the inspectors to Mayo McClellan, and he is considering it.

This was the argument made by them this afternoon in trying to have the bill recommitted to the Cities Committee for the purpose of a hearing. But Majority Leader Moreland stamped such a procedure as being merely a covert effort delay and perhaps to defeat the bill in the lower house, and he called upon all Republicans to defeat the motion to recommit

which was made by Assemblyman Hoey. Assemblyman Voss, though, seems be the actual leader in opposition to the bill. He admitted to-day on the floor of the Assembly chamber that he had been working among the members to secure vote

n opposition to the bill. "Who wants this hearing?" demanded ssemblyman Wells of Mr. Voss. "Why, former Police Commissioner

McAdoo," he replied. "Will Mr. McAdoo come before the com mittee and oppose this bill?" Mr. Wells demanded.

"I didn't say that," Mr. Voss retorted Mr. McAdoo considers this bill to be the worst piece of legislation that has ever been drawn. Now I have been assured by an inspector that if a hearing is given the inspectors will be represented by counsel

"What inspector said that?" demanded Mr. Wells. "I won't mention his name. You should

not have asked me that question," said Mr Voss in a reproving tone. And no amount of questioning could draw from Mr. Voss where the opposition comes from and what inspectors he had

talked with. He said that some citizens wanted to be heard in opposition to the bill but refused to disclose their identity. "Why I have spoken to every memb of this house as to why they are going to vote for this bill, and the only answer

have received is that they are against the police. They tell me the police are no good and they don't help us on election Mr. Voss made an appeal for the inspec

tors on the ground that if the Commissioner had the right to detail inspectors as pro vided by the bill it would violate the civil service law. Assemblyman Hoey also asked that th bill be recommitted for the purposes of per-

mitting the inspectors to be heard in their

own behalf. He also said they would be represented at the hearing. "I speak with the authority of an inspector, but I don't care to name him," he said Majority Leader Moreland said that the motion to recommit was not altogether dis-

ingenuous. "It means," he said, "if this bill is recommitted for a hearing that it is to be killed here." The motion to recommit was defeated by a vote of 53 ayes to 68 noes. But the most significant fact was that there are Republicans who are for the inspectors.

Assemblymen Hooper of Esser, Maher of Albany, Young of New York and Conrady, Voss and Weber of Brooklyn voted with the Democrate to recommit the bill. The bill was advanced to a third reading

any delays. To prever vent Superintendent of Schools Maxwell from enjoying a revenue from the sale of his text books to the schools of New York city is the object of a bill intro-duced to-day by Assemblyman Hoey. The bill provides that no officer, employee or clerk of the New York city repartment of

education shall have an interest in con-tracts and supplies for the department. Mr. Hoey says that while the bill is aimed mainly at Supt. Maxwell he has knowledge of other people connected with the depart ment of education who have profited from contracts. The Assembly, after a long debate, passed the annual appropriation bill, which appropriates \$20,299,252, or \$921,315 more than st year. Of this increase about \$700,000 due to the increased number of Justices the Supreme Court, there being twenty ne additional ones this year. The Labo one additional ones this year. Department, by reason of getting additiona stors to carry out the labor laws, get

an additional appropriation of \$37,270.

naurance Department gets an increase of

\$20,100, due to the new laws of last year. The institutions under the Fiscal Supervisor

get \$111,660 more than they received last A bill introduced by Senator William J. Grattan, the representative of William Barnes, Jr., has attracted not a little attention. Senator Grattan says he does not know the purport of the bill, that it was given to him by a local banker. But some people see in it the restoration of free rights some company that might graft. The matter is being looked into, for by its provisions it is believed that the bill would permit of the Canal Board, in the event of the Genesee Power Company's charter being revoked, to permit it to take power from another stream. The Genesee Power Company's original purpose was to sell water to the State for the canal. The bill authorizes the Canal Board to designate in certain cases places whereat State grants of water rights may be exercised. The section of the bill that has caused the sus-

picion that there is "something doing" In any case, where the State has by still existing grant conferred upon any person persons a right to use any public water of the State and the place whereat such waters might be used has been suspended or changed so that use of such grant has been at such designated place is necessarily interrupted or made impracticable, the Canal Board is hereby authorized and empowered to make new designation of a place other than that heretofore designated whereat such grant made may be used and enjoyed, which place shall, however, be upon such public waters of the State as are under the jurisdiction of such board and such designation shall be grant as a substitute for the designation

heretofore made. A resolution introduced in the Legislature A resolution introduced in the Legislature provides for a novel investigation. It provides for a committee consisting of two members from the State Department of Agriculture, the Commissioner of Labor, or one from his department, and two citizens to be named by the Governor. The committee is to investigate into the matter of the abandoned farms of the State, the generative of farm labor, the depopulation of scarcity of farm labor, the depopulation of the rural districts, their loss of wealth and influence and the corresponding centralization in cities and their disproportionate increase in wealth and influence; the matter of congestion and distribution of population, the subject of immigration and the distribution throughout the State into localities where needed of immigrants. The civilian members of the commission are to get \$10 a day for actual service. An appropriation

WATCHING KELSEY'S FRIENDS.

of \$20,000 is provided for. The committee is to report its findings to the Governor before December 1.

This scheme is backed by the State League of Republican Clubs through its legal committee, headed by James S. Bryan of Auburn.

As a result of the discussion of the likeli-UNDERHANDED WORK TO PRE-As a result of the discussion of the likelihood of the Jockey Club to follow the lead of the Saratoga Racing Association and fix the price of admission at \$3 next year, Senator Mullaney, "Big Tim" Sullivan's representative, to-day introduced a bill fixing at not more than \$2 the price of admission to the grounds and grand stand of any VENT REMOVAL SUSPECTED.

Senator Raines's True Attitude Not Yet Revealed-Gov. Hughes Relles en Public Opinion to Back Him Up and Force Senate to Take Prempt Action

ALBANY, Feb. 21.-Friends of Otto Kelsey State Superintendent of Insurance, are being watched by the friends of Gov. Hughes. The apparent lull that has followed the sending of the Governor's message to the Senate has awakened a spirit of distrust in the minds of the people who are anxious to assist the Governor in his many reforms; The fact that friends of Mr. Kelsey are now trying to dodge talking on the question of removal and that they will not in any wise reveal their plan of action has increased the feeling that possibly there may be something doing that is no discernible on the surface.

The friends of the Governor feel that there has been some understanding some where or else Mr. Kelsey would not have retained former Supreme Court Justice Hatch and asked for a hearing. All eyes are fastened at present on Senator John Raines. It is known that if he has a true desire to uphold the Governor he can bring about a speedy determination of the mat ter. He could have the Senate Judiciary Committee report at the next meeting that the Kelsey case should be referred to the committee of the whole of the Senaie and that that body should take it up at once and dispose of it without giving Mr. Kelsey a hearing.

But a single remark made yesterday after noon at the meeting of the Senate Judiciary Committee has awakened a feeling in the minds of the Governor's friends that possibly Senator Raines has not revealed his real attitude in the matter to the Governor. When some one brought up the Kelsey incident in the committee meeting Senator Raines's only comment was:

"I don't see why a public official's tenur of office should depend upon his having read the report of the Armstrong investigating committee

To-day former State Superintendent of Public Works N. V. V. Franchot came to Albany and had a long talk with Senator Raines regarding the Kelsey matter. It is known that Mr. Franchot will be against the removal of Mr. Kelsey.

Secretary of State Whalen to-day a petition Gov. Hughes has made no new move in to have the Secretary of State recognize he matter. He has done all he proposes the status of the independence I cague as a doing. He is relying on public opinion to State party, entitled to come in under the back him up and drive the Senate into law providing for the holding of primaries taking action. If there is a long drawn by parties polling 3 per cent. of the total vote for Governor. out fight or any dilatory tactics it can be relied upon that there is a motive in it all The petition is accompanied by returns and the motive is not to support the Gov from clerks in all but twelve of the counties of the State, showing that the League polled ernor. Of course as time goes by there will be the chance of getting more votes by actual count 153,690 votes, whereas only 17,000 votes were credited to the party in line, and there are influences at work that undoubtedly would be very pleased to see Gov. Hughes defeated in his first atvassing board from the counties reporting the results of last fall's election. The

riends of the Governor know that there is a deep seated notion that if they can't get enough wotes to hold Mr. Kelsey in the results of last fall's election. The petition says that the League actually polled 188,000 votes.

The effect of the filing of the petition, which will be recognized fully by the Secretary of State, is that the League will become the third largest party in the State and the third entitled to participate in party primaries. It will also have a place on the official ballot next to the Republican and Democratic columns. get enough wotes to hold Mr. Kelsey in office they can make a martyr of him at the expense of the Governor. That is the real object of the proposed hearing. Mr. Kelsey will come before the committee that is to consider the matter and under the guidance of clever counsel will tel how he has been so tied down by other on the official ballot next to the Republican and Democratic columns.

There appears to be considerable doubt as to how Secretary of State Whalen can act in his individual capacity in accepting such a record for the Independence League as is this entitling it to come under the party primary law. It is held in some quarters that it is not possible to go back work that he was not in a position to make a change in his department. He will tell a a change in his department. He will tell a nice story of how busy he has been in master-ing matters that have come up unex-pectedly and show that the Governor is unreasonable in expecting him to accom-plish more than he has. Of course there will not be a Charles E. Hughes to question quarters that it is not possible to go back of the returns of the State Board of Can-vassers, which gave the League the num-ber of votes which were returned by the him and to pin him fast to real matters of vital importance. Mr. Kelsey will be able to tell a most plausible story, and then, if it is seen that there are not enough votes to prevent removal, Mr. Kelsey will resig and the story will go out that the Governor'

harshness has driven from office a most competent and honest official. That Gov. Hughes appreciated that something of this nature would be attempted is now known. It was for that reason that he decided so promptly on his examination last Monday afternoon. He wanted to acquaint the people with the true reason for desiring Mr. Kelsey's removal and he

COURT OF INQUIRY FOR THE N. G.

Assemblyman Walnwright Proposes Investigation of the State Militia.

ALBANY, Feb. 21.-The enemies of Major Gen. Charles F. Roe are still after him for Assemblyman Wainwright of Westchester has prepared a bill which provides for an investigation of the National Guard by two Senators, three Assemblymen and four civilians, to be appointed by the Governor. An appropriation of \$10,000 is made for the expenses of the investigating committee. Mr. Wainwright issued this statement concerning his bill:

"The National Guard has recently been subject to pretty severe criticism, and certain recent occurrences seem to raise the question whether there is not something radically wrong in its organization or some where. Personally, having served for many years and until recently as an officer of the Guard. I believe I am somewhat familiar with its condition. My judgment is that it is composed of splendid material of loyal and upright young men, in the main well officered: but in common with many others I believe that there are certain radical defects in its organization, and that if the subject is given proper consideration it will be discovered that there are many changes and reforms that can be made to the advantage of the Guard.

"Many believe that the guard would

"Many believe that the guard would be benefited by adopting for its govern-ment some sort of a general staff system. virtually the present army system. The Wendel matter goes to show that there is at least a conflict of authority at the top, which in my judgment is due more to the system than to those at the top. The question of maintenance of armories. as to whether they should be a local or a State charge, has raised a very large state charge, has raised a very large proposition. There is and complicated proposition. There is no question but that the guard to-day is somewhat under fire, and it should be possible for it to have what would be virtually a court of inquiry as to its own con-

"The bill I have introduced will call for the broadest kind of an inquiry into the condition, discipline, efficiency, cost of maintenance, method of procuring and disbursing funds, and also for an investigation into the condition of the law. In fact the commission can, if it desires, take up the question of the revision of the military code. I do not think that it would be possible to get a satisfactory result from a commission composed entirely of officers

r entirely of legislators.
'My design is that the Governor may appoint four citizens, and if he desires he can appoint either old officers of the Guard or he may ask for a detail of some officers of the army familiar with militia affairs to serve on the commission. I believe that the result of such an investigation will prove of incalculable benefit to Guard, correcting many abuses which exist, providing salutary reforms and tending to a more economical administration, and to distribute the burden of the cost of the Guard more evenly than it appears to be at present."

To Prevent High Interest Bates WASHINGTON, Feb. 21.-Senator Depew to-day offered a resolution directing the Senate Finance Committee to investigate and report what legislation if any is necessary to provide a more elastic currency, so as to prevent abnormally high rates of inter-est. He asked that it lie on the table and will probably speak on it later.

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SPECIAL ATTENTION IS INVITED TO SELECTIONS OF MEN'S COATS, CRAVENETTE GARMENTS, CAPS AND WOOL VESTS. WOMEN'S COATS, MOTOR CAPS, HOODS AND HATS: AUTOMOBILE VEILS IN SERVICEABLE AND DELICATE COLORINGS. MEN'S AND WOMEN'S GLOVES AND GOGGLES.

AUTOMOBILE ROBES AND STEAMER RUGS.

LEATHER ARTICLES FOR AUTOMOBILE, TRAIN OR STEAMER TRAVEL, INCLUDING LUNCHEON HAMPERS, BAGS AND SUIT CASES, DRESSING AND WRITING CASES, HAT BOXES, AUTOMOBILE AND TRAVELING CLOCKS, LEATHER CUSHIONS, DRINKING CUPS AND FLASKS, NECESSAIRE CASES, ETC.

Fifth Avenue, 34th and 35th Streets, New York

ATTACK ON SECY HITCHCOCK.

Senator Clark of Wroming Condemns His Administration - Spooner Defends It.

WASHINGTON, Feb. 21.-Senator Clark Wyoming, chairman of the select committee that investigated the affairs of Indians in the Indian Territory, made an attack on Secretary Hitchcock in the Senate to-day. The Agricultural bill was under consideration and the Senate was discussing the administration of the forestry ser-

Mr. Clark asserted that the whole policy of the forestry bureau was wrong. He declared that as it operated to-day "an autocratic power was lodged in the forester to withdraw from settlement large Western areas and lease them for grazing purposes and have absolute control over the fund derived from the leases."

As an illustration of how loosely reserves were created he cited the case of the withdrawal of 4,000,000 acres in southeastern Indian Territory for a forest reserve. He declared that the whole scheme was planned by Jack Gordon, a citizen of Texas, who wanted a game preserve. He wrote to Secretary Hitchcock, who decided that there was no authority of law to create the game preserve, but he referred the letter to the Secretary of Agriculture to see II a forest reserve could not be carried

Mr. Clark charged that the special agent sent out from the forestry bureau remai just one week to make an investigation of 4,000,000 acres. Then the withdrawal was made. It was pointed out to the Secretary what a tremendous risk he had taken, for the moment the lands became permanently Government lands again and withdrawn from allotment an old land grant to the Kansas and Texas railroad ould have attached to alternate sections The Secretary corrected this, but he still, had 2,000,000 held up by withdrawals in violation of law.

This action was fraught with more graft

than all things against which the Secretary has been declaiming, said Mr. Clark. Mr. Spooner defended the Secretary. "He is the most conscientious and pains-The is the most conscientious and pains-taking public servant who ever occupied that office." said Mr. Sponer. "He is honest. He may make mistakes; we all make mistakes; but he has made a record unequalled by any of his predecessors, and one that will not be equalled by his

SUCCESSORS Mr. Patterson of Colorado spoke at length opposing the section of the bill which pro-posed to place the grazing lands under control of the forestry bureau.

Mr. Warren of Wyoming defended himself against the charge of fencing public lands. He declared that the charge emanated from the Secretary of the Interior

and was false.

Mr. Dubois of Idaho declared that the chief forester had gone too far in extending forest reserves and the people of the West were up in arms. The ranchmen, he asserted, should not be required to go to forest officers to secure water permits.

The Senate had not concluded the Agricultural bill at 6 o'clock, when adjournm

The reading of the Agricultural bill was completed. Among the amendments agreed to was one raising the salary of the Assistant Secretary of Agriculture from 44,500 to \$5,000, to meet the criticisms of Senators who had objected to increasing the salaries of the Chief Forester and three Assistant Secretary's salary. As agreed

to, all increases were given.

The amendment authorizing a survey for the Appalachian and White Mountain reserves at an expense of \$25,000 was objected to by Senator Hemenway, who reerved a point of order against it.

Mr. Patterson of Colorado raised a point

of order against the amendment giving the Bureau of Forestry authority over grazing lands An amendment offered by Mr. Nelson of Minnesota increases by \$5,000 the present annual appropriation for State agriculwhich is now \$30,000 for each State, and authorizes an increase each year thereafter of \$5,000 until the total reaches

POLLARD MUST RETURN \$1,900. Not Entitled to Pay as Congressman Frem

March 4 to July 18, 1905 WASHINGTON, Feb. 21 .- Mr. Pollerd, the youthful successor of Senator Burkett as Representative from the Second District Nebraska in the Fifty-ninth Congress. was not entitled to the salary (about \$1,900) prid him by the Sergeant-at-Arms for the iod from March 4 to July 18, 1905. says the House Committee on Judiciary, to which the matter was referred at the request of Mr. Pollard. The facts are that Mr. Burkett, who had been elected in November, 1906, to the Fifty-ninth Congress, having been chosen Senator, resigned on January 19, 1905, and on July 18 Mr. Pollard was

elected to fill the vacancy. Following a long established practice the Sergeant-at-Arms paid him from the date the "vacancy in the term" negan until the date of his election, and for taking this money Mr. Pollard was severely criticised in the campaign last fall. The statute governing the matter reads: Whenever a vacancy occurs in either "Whenever a vacancy occurs in either house of Congress, by death or otherwise, of any member or delegate elected or appointed thereto, after the commencement of the Congress to which he has been elected or appointed to fill it shall be compensated and paid from the time that the compensation of his predecessor ceased."

The statute had never been construed and

The statute had never been construed, and Mr. Pollard asked that the Committee on Judiciary investigate and report as to his right to receive the money. The committee, following the decision of the Supreme Court in the case of Page vs. the United States, says the section refers to a vacancy occurring after the commencement of a particular. ring after the commencement of a particular Congress and the predecessor mentioned is a predecessor in that Congress. Senator Burkett having resigned before the term of the Fifty-ninth Congress began, Mr. Pollard had no predecessor in the meaning of the law, and there was no warrant, says the committee, for the payment to him of any compensation for any period prior to his election.

his election.

In accordance with the conclusions of the committee Mr. Pollard introduced a bill directing the Treasurer of the United States to receive from him \$1,861.94, the sum so wrongfully paid to him.

The sergeant-at-arms says the payment

is in pursuance of an unbroken line of prec-edents running as far back as 1862. Nominations by the President

WASHINGTON, Feb. 21.-The President to-day sent to the Senate the following nominations

To be Collectors of Customs-Peter Dippel for the district of Sag Harbor, N. William H. Lucas for the district of St Johns, Fla.

Navy-Commander Frank E. Sawyer to be Captain: Lieutenant-Commander Thomas Snowden to be commander. Army-First Lieuts, George W. Stuart.

Seventh Infantry: William T. Patten, Thirteenth Infantry, and Duncan K. Major, Jr., Fourteenth Infantry, to be Captains. Postmasters-New York: John L. Kyne.

East Syracuse: George N. Deyoe, Johnstown; George R. Cornwell, Penn Yan; Adolph Lionhardt, Stapleton; Charles B. Ball, Montous Connecticut-Charles N. Hatch, Bridge-

water; Leopold J. Curtis, Norfolk; Edwin F. Tomlinson, Plainville; William B. Bristol. Stratford; Charles C. Georgia, Unionville; Willis W. Mildrum, East Berlin. New Jersey-Walter Ball, Merchantville: Alfred M. Jones, Summit: Frank D. Pedrick, Woodbury: Joseph E. Fulper, Washington.

Famine in China as Bad as Ever

WASHINGTON, Feb. 21.-Chinese newspapers which have come to the Chinese Legation here show the famine conditions to be as bad as ever. Some progress is being made in the relief work, but the famine zone is so large and the conditions are so bad that there has been no material improvement. It is believed, however, that the situation will be greatly bettered within a short time. If conditions can be alleviated until May it is thought that the crisis will have been safely passed.

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Rosy Cheeks Made by a good food.

A lady living in Acton, Wales, writes: It is with both pleasure and gratitude I write to tell you of the splendid results we have derived from Grape-Nuts. For years, almost since childhood, have I suffered from nerve troubles, neuralgia, etc. Some months ago my husband persuaded me to give Grape-Nuts food a The first package I had I felt the benefit of, and since, needless to say, I have never been without it, using it in many of the delightful little receipts given with each package. These wonderful little receipts prevent the monotony felt so often with other foods.

I sleep better, feeling refreshed in the morning, have gained both flesh and rosy cheeks, lost my neuralgia, and generally speaking, feel in the best of health. I feed my little girl with it also; she, like myself,

suffered from anæmia, and was a constant worry and trouble to me, but now I am delighted to say she is the picture of health. strongly recommend ...ll mothers to use Grape-Nuts, and they cannot fail in getting the happiest results, for it is certainly the most palatable food I have ever tried for children, and they thrive wonderfully on

Name given by Postum Co., Battle Creek, Mich. Grape-Nuts food is a certain rebuilder, for it contains the elements necessary to renew the nerve and brain tissues. The starch in the grains, from which it is made, is changed, in the manufacture, to a form of sugar, and this renders it easy of digestion to invalids and children, as well as those in the prime of health.

"There's a Reason" for

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